

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION**

In re:	:	Chapter 11
	:	
CIRCUIT CITY STORES, INC., <u>et al.</u> , <sup>1</sup>	:	Case No. 08-35653-KRH
	:	
Debtors.	:	(Jointly Administered)
	:	
	:	

**NOTICE OF INTENT TO DESTROY OBSOLETE MISCELLANEOUS LEGAL  
FILES, CORPORATE RECORDS, TAX RETURNS, HARD DRIVES, ABANDONED  
POLICIES, PERSONNEL FILES, PENSIONS/401K DOCUMENTATION,  
ADVERTISING DOCUMENTATION, REAL ESTATE DOCUMENTS, SUPPLIES,  
MANUALS, AND PAYABLES/RECEIVABLE DOCUMENTATION**

**DEADLINE TO OBJECT/RESPOND TO NOTICE: AUGUST 23, 2013 at 5:00 PM  
(Eastern Time)**

THIS NOTICE IS BEING PROVIDED PURSUANT TO AN ORDER APPROVING  
PROCEDURES AUTHORIZING DESTRUCTION OF OBSOLETE BUSINESS RECORDS  
PURSUANT TO 11 U.S.C. §§554 AND BANKRUPTCY RULE 6007, SIGNED BY THE  
COURT ON APRIL 29, 2009 ("COURT ORDER"). YOU MUST ADHERE TO THE  
TERMS OF THIS NOTICE AND THE COURT ORDER IN ORDER TO PROTECT YOUR  
RIGHTS. IF YOU OPPOSE THIS NOTICE OF INTENT TO DESTROY THE OBSOLETE  
BUSINESS RECORDS (DESCRIBED BELOW), YOU MUST FOLLOW THE

<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of their respective federal tax identifications numbers, are as follows: Circuit City Stores, Inc. (3875), Circuit City Stores West Coast, Inc. (0785), InterTAN, Inc. (0875), Ventoux International, Inc. (1838), Circuit City Purchasing Company, LLC (5170), CC Aviation, LLC (0841), CC Distribution Company of Virginia, Inc. (2821), Circuit City Properties, LLC (3353), Kinzer Technology, LLC (2157), Abbott Advertising Agency, Inc. (4659), Patapsco Designs, Inc. (6796), Sky Venture Corp. (0311), Prahs, Inc. (n/a), XSStuff, LLC (9263), Mayland MN, LLC (6116), Courchevel, LLC (n/a), Orbyx Electronics, LLC (3360), and Circuit City Stores PR, LLC (5512).

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Robert J. Feinstein (NY Bar No. RF – 2836)  
Jeffrey N. Pomerantz (CA Bar No. 143717)  
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Circuit City Stores, Inc. Liquidating Trust

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Co-Counsel for Alfred H. Siegel, Trustee of the  
Circuit City Stores, Inc. Liquidating Trust

PROCEDURES DESCRIBED. PLEASE READ THE FOLLOWING PROCEDURES CAREFULLY.

The Trustee of the Circuit City Stores, Inc. Liquidating Trust (the “Liquidating Trust”) shall authorize the destruction of the obsolete business records described below pursuant to the procedures approved by the Court Order. Please note that the objection and other procedures set forth herein have previously been approved by the Court pursuant to the Court Order, and therefore, any objections that you may have as to these procedures themselves shall not be considered, and shall not be deemed an objection to the proposed destruction of obsolete business records.

<p>1. Storage facilities at which the obsolete records are located:</p>	<p><u>Recall</u>, 1790 Ruffin Mill Road, Building D, Colonial Heights, VA 23834</p> <p><u>Entrust</u>, 1600 Rhoadmiller Street, Richmond, VA 23220</p> <p><u>Datastor</u>, 4201 Eubank Road, Richmond, VA 23231</p> <p><u>Iron Mountain</u>, 4451 Georgia Pacific Bl., Frederick, MD 21704, and 4600 Wedgewood Bl., Frederick, MD 21703</p>
<p>2. Obsolete Business Records on Premises to Be Destroyed by the Trust:</p>	<p>Miscellaneous closed legal files, corporate records, tax returns, hard drives, abandoned policies, personnel files, pensions/401K documentation, advertising documentation, real estate documents, supplies, manuals, and payables/receivable documentation located in boxes at the facilities listed in item 1 above. <b><u>None of the records to be destroyed have any application to any claims objection, adversary proceeding, tax dispute or any other open and pending matter involving the Liquidating Trust.</u></b></p>
<p>3. General Description of Preceding Item 2:</p>	<p><b><u>Miscellaneous Closed Legal Files:</u></b></p> <p>Part 1: These files were sent to storage prior to January 1, 2001, are marked as closed, and relate to: small claims and litigation/arbitration matters, invoices and payments related to legal services, employment contracts, settlements, and commission reports.</p> <p>Part 2: These documents were sent to storage from 2001 through 2009 that are marked as “closed”, “dead”, or “expired”. The documents include human resources legal files, employment group legal files, copies of leases, and various records relating to invoices and payments for legal services.</p>

	<p><b><u>Corporate Records:</u></b> Records related to feasibility studies, consumer affairs, Y2K documentation, petty cash reports, sweepstakes, and various internal reports, all of which were concluded prior to 2006.</p> <p><b><u>Tax Returns:</u></b> Documentation relating to tax years prior to FYE 2001, including: sales tax returns, tax exempt tickets, tax calculations, and state and federal tax returns.</p> <p><b><u>Hard Drives:</u></b> Backup drives related to CCTV recordings, old server tapes, and Y2K email, all of which were prepared prior to 2001.</p> <p><b><u>Abandoned Policies:</u></b> Documents referencing corporate policies from the 1980's and 1990's.</p> <p><b><u>Personnel Files:</u></b> Documents relating to employees including screenings/personnel records, proof of earnings reports, time sheets, payroll reports, cleared payroll checks, garnishments, itineraries, interview files, corporate travel, deceased files, application files, W-2s, relocation files, task force files/tickets, training materials, unemployment files, terminated files, and management resumes. The documents relate to personnel from the 1990s through 2009.</p> <p><b><u>Pension/401(K):</u></b> Documents relating to pension/401(K) reports, benefits trust statements, check registers, deferred compensation 401(K) supplements, and benefits forms relating to many years through 2009.</p> <p><b><u>Advertising:</u></b> Company advertising materials</p> <p><b><u>Real Estate Documents:</u></b> Documents referencing real estate transactions, including leases, contracts, construction plans/documents, remodel/partial remodel files, project files, site development files, design files, construction audit files, and construction drawings, all of which were prepared prior to 2006.</p> <p><b><u>Supplies:</u></b> Documents relating to company supplies including: blank inventory count books, letterhead, envelopes, and various handbooks.</p>
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	<p><b><u>Manuals:</u></b> Various manual information for fixtures, inventory and equipment owner's manuals, and warranty information.</p> <p><b><u>Payables/Receivables:</u></b> Documents relating to payables and receivables prior to 2004 that include billing files, invoices, and check registers. Documents relating to more recent service/travel and entertainment payables, litigation, personnel, pension/401(k), advertising, real estate and supplies.</p>
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Objection Procedures:

- If you object to the destruction of obsolete business records as described above, you **MUST** serve on counsel for the Liquidating Trustee and the other parties listed below (the "Notice Parties") and file with the Clerk of the Bankruptcy Court, 701 E. Broad Street, Suite 4000, Richmond, VA 23219, a written objection to this Notice. Pursuant to Bankruptcy Rule 6007(a), all objections must be filed with the Bankruptcy Court and be received by the Notice Parties by **August 23, 2013, at 5:00 p.m. (Eastern Time)** ("Objection Deadline").
- If an objection is not timely and properly filed and served in accordance with the preceding paragraph, the destruction of obsolete business records shall be effective without further notice, hearing, or order of the Bankruptcy Court. If an objection is timely and properly served and filed, the Court will schedule a hearing to consider this Notice and the objection.

Parties Upon Whom this Notice is Served:

- (i) the United States Trustee, 701 E. Broad Street, Suite 4304, Richmond, VA 23219-1888, Attn. Robert B. Van Arsdale;
- (ii) counsel for the Liquidating Trustee, Pachulski, Stang, Ziehl & Jones, LLP, 10100 Santa Monica Boulevard, Suite 1100, Los Angeles, CA 90067, Attn. Andrew W. Caine; Tavenner & Beran PLC, 20 North 8<sup>th</sup> Street, Richmond, VA 23219, Attn. Paula S. Beran, Lynn L. Tavenner;
- (iii) the Core Group, as defined in the Order Pursuant to Bankruptcy Code Sections 102 and 105, Bankruptcy Rule 2002 and 9007, and Local Bankruptcy Rules 2002-1 and 9013-1 Establishing Certain Notice, Case Management and Administrative Procedures (the "Case Management Order");
- (iv) the 2002 List, as defined in the Case Management Order;
- (v) the Consumer Privacy Ombudsman appointed to the Debtors' bankruptcy case, Lucy L. Thomson, 915 North Quaker Lane, Alexandria, VA 22302; and

(vi) the attorneys for Old Republic Insurance, Fox, Hefter, Swibel, Levin & Carroll, LLP, 200 W. Madison Street, Suite 3000, Chicago, IL 60606, Attn: Margaret M. Anderson.

Dated: August 16, 2013

TAVENNER & BERAN, P.L.C.

/s/ Lynn L. Tavenner

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*Counsel for the Circuit City Stores, Inc. Liquidating Trust*

**CERTIFICATION**

I hereby certify that the foregoing Notice has been either served on or endorsed by all necessary parties.

/s/ Lynn L. Tavenner

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